

REMARKS

This Preliminary Amendment addresses concerns stated in the Final Rejection of June 7, 2006 and the Advisory Action of August 25, and amends Applicants' Amendment of September 7, 2006.

I. STATUS OF THE CLAIMS

Claims 1-7, 16-18, 24, 31, and 33-40 are currently pending in the application.

Claim 8-15, 19-23, 25-30, and 32 have been cancelled, either previously or by means of this amendment, without prejudice.

Claims 1-3, 5-7, 16-18, 24, and 31 have been amended.

Claims 33-40 have been added.

Claims 1-5, 8, 9, 11, 13, 15, 16, 18, and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petrovich, United States Patent Number 6,101,483, issued on August 8, 2000 (Petrovich) in view of Treyz et al., United States Patent Number 6,587, 835, filed on February 9, 2000, issued on July 1, 2003 (Treyz). Applicant respectfully points out that Treyz issued 1½ years after the filing date of Applicant's application, January 4, 2002. Applicant respectfully reserves the right to swear behind Treyz under 37 C.F.R. § 1.131.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Petrovich in view of Treyz as applied to claim 4, and in further view of Ruppert et al., United States Patent Number 5,424,524, issued on June 13, 1995 (Ruppert).

Claims 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petrovich in view of Treyz as applied to claim 1 and further in view of WO 01/20526, priority date September 15, 1999, published on March 22, 2001 (WO '526). Applicant respectfully points out that WO '526 was published within a year of the filing date of Applicant's application,

January 4, 2002. Applicant respectfully reserves the right to swear behind WO '526 under 37 C.F.R. § 1.131.

Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petrovich in view of Treyz as applied to claim 4, and in further view of Shaw, United States Patent Number 6,568,596, filed on October 2, 2000, issued on May 27, 2003 (Shaw). Applicant respectfully points out that Shaw issued almost 1½ years after the filing date of Applicant's application, January 4, 2002. Applicant respectfully reserves the right to swear behind Shaw under 37 C.F.R. § 1.131.

Claims 10 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petrovich in view of Treyz as applied to claim 1, and in further view of Kawan, United States Patent Number 6,102,049, issued on January 4, 2000 (Kawan).

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Petrovich in view of WO '526 and Ruppert.

Claims 21 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petrovich in view of Kawan.

Claim 30 is rejected under 35 U.S.C. § 103 as being unpatentable over Petrovich in view of Treyz and Klughart, United States Patent Number 5,025,486, issued on June 18, 1991 (Klughart).

Claim 31 is rejected under 35 U.S.C. § 103 as being unpatentable over Petrovich in view of Treyz, and in further view of Ginter, United States Patent Number 5,915,019, issued on June 22, 1999 (Ginter).

II. REJECTIONS UNDER 35 U.S.C. § 103(a)

Several claims have been amended and added. Support for all amendments can be found in Applicants' Specification as follows. No new matter has been added.

Claim #	Status	Support paragraphs
1	Amended	26, 27, 33-41, 43, 46, 76, 77
2	Amended	55
3	Amended	42, 58
4	Prev. presented	
5	Amended	43
6	Amended	Informalities
7	Amended	33
8-15	Cancelled	
16	Prev. presented	
17	Amended	Informalities
18	Amended	56, 57, 59, 60-66, 68-70, 74
19-23	Cancelled	
24	Amended	27
25-30	Cancelled	
31	Amended	43, 48, 50, 51
32	Cancelled	
33	New	26, 43, 46, 48, 50, 51
34	New	55, 57, 59, 62-64, 70
35	New	61
36	New	59, 68
37	New	65
38	New	66
39	New	74
40	New	27

It is submitted that claims independent claims 1, 18, and 33 are not made obvious under 35 U.S.C. § 103 by Petrovich in view of Treyz, Ruppert, WO '526, Shaw, Kawan, or Klughart, and that dependent claims 2-7, 16, 17, 24, 31, and 34-40 are patentable at least because of their selective dependence upon patentable independent claims 1, 18, and 33.

III. CONCLUSION

It is submitted that claims 1-7, 16-18, 24, 31, and 33-40 are now in condition for allowance.

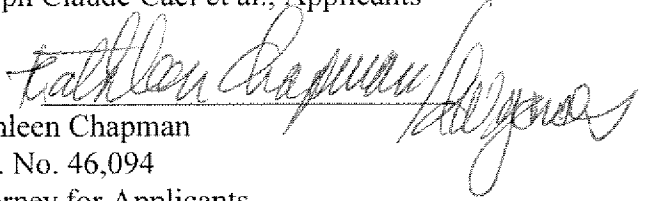
Applicants respectfully request that the Examiner withdraw all rejections and objections and find claims 1-7, 16-18, 24, 31, and 33-40 allowable for the reasons stated above, and further respectfully request that a timely Notice of Allowance be issued in this case.

There were 14 claims including 3 independent claims before the present amendment. Applicants have cancelled independent claim 32, and have added independent claim 33. Applicants have cancelled dependent claim 28 and have added dependent claims 34-40. Thus the total number of claims is 20, and the total number of independent claims is 3, so that no additional fees are anticipated. However, Applicants herein authorize the Commissioner for Patents to charge any additional fees or credit overpayment to Deposit Account No. 03-2410, Order No. 12078-129.

The following information is presented in the event that a call may be deemed desirable by the Examiner: KATHLEEN CHAPMAN (617) 345-3210.

Respectfully submitted,
Joseph Claude Caci et al., Applicants

Date: November 2, 2006

By: 
Kathleen Chapman
Reg. No. 46,094
Attorney for Applicants